

REMARKS/ARGUMENTS

Applicants acknowledge receipt of the Office Action dated March 3, 2006. Claims 1-20 are pending in the application. By this Response, claim 7 is amended. Claims 1-20 are rejected under 35 U.S.C. § 103 as being unpatentable over Bodnar et al., U.S. Patent No. 5,143,945 ("*Bodnar*"). Applicants believe all pending claims are allowable over the art of record and respectfully request reconsideration and allowance of the claims.

I. Claims 1-20 are patentable over *Bodnar*.

Applicants respectfully traverse the Examiner's rejections of claims 1-20 under § 103 as being unpatentable over *Bodnar*. Applicants submit that, contrary to MPEP § 2143, the Examiner has failed to make a *prima facie* case of obviousness in rejecting such claims in that the Examiner has failed to cite references that teach or suggest all of the elements recited in the rejected claims.

Claims 1, 7, and 16 are independent claims upon which claims 2-6, 8-15, and 17-20 depend, respectively. Claims 1 and 16 recite "an isocyanate-reactive foaming agent selected from the group consisting of water, carboxylic acids, and mixtures thereof." Claim 7, as amended, recites "an isocyanate-reactive foaming agent consisting of water and at least one carboxylic acid." Instead of teaching or suggesting the recited isocyanate-reactive foaming agent of claims 1, 7, and 16, *Bodnar* teaches a blowing agent mixture that contains a halocarbon blowing agent. (*Bodnar*, col. 3, lns. 38-42) For instance, *Bodnar* teaches that "[t]he novelty in the present invention resides in the blowing agent" that comprises "a halocarbon blowing agent." (*Bodnar*, col. 3, lns. 38-42) Moreover, *Bodnar* teaches away from the recited foaming agent of claims 1, 7, and 16. For example, *Bodnar* teaches that "[i]t should be noted that **fluorocarbon blown** rigid polyurethane foams have much superior physical properties compared with foams blown with carboxylic acids or combinations of water and acids." (*Bodnar*, col. 2, lns. 13-17, emphasis added) Therefore, *Bodnar* does not teach or suggest an isocyanate-reactive foaming agent selected from the group consisting of water, carboxylic acids, and mixtures thereof or an isocyanate-reactive foaming agent consisting of water and at least one carboxylic acid.

In view of the recitations in claims 1, 7, and 16 that are neither taught nor suggested by *Bodnar*, Applicants respectfully request that the Examiner withdraw the § 103 rejections and

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allow the claims. Applicants further request that the Examiner also withdraw the § 103 rejections of dependent claims 2-6, 8-15, and 17-20 since it is submitted that independent claims 1, 7, and 16 are allowable. Dependent claims 2-6, 8-15, and 17-20 must *a fortiori* also be allowable, since they carry with them all the limitations of the independent claims to which they ultimately refer.

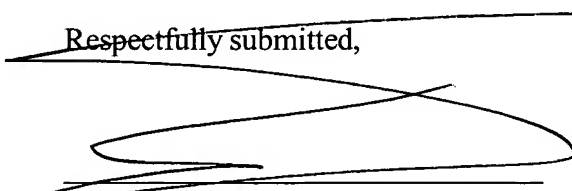
II. Conclusion

Applicants respectfully request reconsideration, allowance of the pending claims and a timely Notice of Allowance be issued in this case. If the Examiner feels that a telephone conference would expedite the resolution of this case, the Examiner is respectfully requested to contact the undersigned.

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art that have yet to be raised but which may be raised in the future.

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Conley Rose, P.C. Deposit Account Number 03-2769.

Respectfully submitted,



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- (1) Response to Office Action dated March 3, 2006 (7 pages)
- (2) Return postcard